

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
January 6, 2026**

**MIAMI COUNTY ADMINISTRATION BUILDING
COMMISSION CHAMBERS
201 SOUTH PEARL STREET
PAOLA, KANSAS 66071**

ATTENDANCE

CHAIR:	Topher Philgreen
VICE-CHAIR:	Joshua Brown
PLANNING COMMISSION	Kelli Broers, John Menefee, Shane Hall, Phil Elliott, Rusty Gerken, and Drew Moore
ABSENT MEMBERS:	Randy Kitchen
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Kenneth Cook
ASST. PLANNING DIRECTOR:	vacant
PLANNER:	Not present
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not present
COUNTY COMMISSION:	None present
COUNTY CLERK:	Not present
CODES SERVICES DIRECTOR:	Not present
PRESS:	None present

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CALL TO ORDER

Chairperson Kelli Broers called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call was taken with eight (8) members present making a quorum.

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

There was none.

ADOPTION OF THE AGENDA

Planning Commissioner Phil Elliott moved to adopt the agenda as presented. Planning Commissioner John Menefee seconded; the motion passed unanimously (8-0), via show of hands.

CONSENT AGENDA

1. Minutes

- o Approval of the December 2, 2025 Planning Commission Minutes

Vice-Chair Topher Philgreen moved to approve the consent agenda. Planning Commissioner Rusty Gerken seconded; the motion passed 8-0, via show of hands.

Old Business:

There was none.

New Business:

Broers stated the Planning Commission needs to elect and vote for a new Chairperson, Vice-Chair, and Board of Zoning Appeals representative.

Cook stated the current Planning Commission representative for the Board of Zoning Appeals is Randy Kitchen and is currently the Vice-Chair for the Board of Zoning Appeals.

Broers asked for nominations for the position of Chairman.

Elliott nominated Vice-Chair Topher Philgreen to be the 2026 Chairman and Menefee seconded the nomination.

Broers called for a vote as there were no other nominations. The motion passed 7-0 with Philgreen abstaining, via show of hands.

Broers asked for nominations for the position of Vice-Chair.

Philgreen nominated Planning Commissioner Joshua Brown to be the 2026 Vice-Chair and Elliott seconded the nomination.

Broers called for a vote as there were no other nominations. The motion passed 7-0 with Brown abstaining, via show of hands.

Broers asked for nominations for the Board of Zoning Appeals representative.

Menefee nominated Planning Commissioner Randy Kitchen for the 2026 Board of Zoning Appeals representative and Philgreen seconded.

Broers called for a vote as there were no other nominations. The motion passed unanimously (8-0) via show of hands.

Broers turned the meeting over to Topher Philgreen, newly elected Chairman, at 7:05 p.m.

Chairman Philgreen thanked Kelli Broers for serving as Chairman for the past two (2) years.

Public Hearing 25009-CUP: The Evermore Venue & Event Center

Philgreen invited Staff to the podium to present the Staff Report for 25009-CUP: The Evermore Venue & Event Center at 7:07 p.m.

Kenneth Cook, Planning & Zoning Director, presented the Staff Report including that the applicant had provided an amended narrative and an updated site plan prior to the meeting and these documents had been handed out to the Planning Commissioner. Cook noted these amended documents related to the applicant's desire to build a house on the property in the future with discussions of a possible Accessory Dwelling Unit (ADU) to be used as a Short-term Rental.

Cook noted he made amendments to the Conditions listed in the Staff Report and passed out a copy of the amended Conditions. Condition No. 17 (*Structures on the property shall not be utilized for overnight stays by vendors, staff, wedding parties, or anyone associated with the weddings/receptions or events, other than the property owners may construct their primary dwelling on the property. Accessory to the property owner's primary dwelling, an Accessory Dwelling Unit (ADU) may be constructed in compliance with Zoning Regulations (Section 5-2.01.12). Said ADU can be rented as a Short Term Rental in compliance with Section 14-2.01.13, including no annual registration or licensing fee as long as the facility remains in compliance with the approved CUP.*) was amended to show the applicant would like to have a house on the site in the future and possibly an ADU. If the ADU is used for a Short-term Rental it will operate under the CUP and not the Short-term Rental Regulations.

Cook stated he added Condition No. 18:

No building permit may be issued for the event venue or said use commence on the property until such time as the property has an approved water supply. An approved water supply shall mean either a connection to a public water system or to a water system (such as a well) that has been licensed and approved by KDHE as a public well.

Cook stated this type of structure and venue would typically require fire protection. Miami County does not have the capacity in the water system to handle water sprinklers; applicants have been allowed to submit alternative water protection plans. Staff will be requiring the applicant to provide an alternative water protection for the venue.

Cook noted the Louisburg Fire Department noted if dry-hydrants are provided it will be the responsibility of the applicant to keep the dry-hydrants maintained. There would also be a requirement for a monitored fire alarm system as a part of the fire protection plan.

Cook reviewed the Golden Criteria as presented in the staff report.

Philgreen stated for clarification the hand-out showing amended Conditions replaces the pages 10 and 11 of the Staff Report.

Cook agreed and stated he wanted to provide the Planning Commission with another option.

Philgreen stated before continuing he would like to welcome Shane Hall as the newest Planning Commissioner. Philgreen stated Planning Commissioner Peter Peuser's term expired and Shane Hall was willing to fill the vacant position on the Planning Commission.

Cook confirmed that Hall was sworn in on January 5, 2026 and is able to participate in the discussions and voting.

Philgreen returned to 25009-CUP: The Evermore Venue & Event Center and asked for questions from the Planning Commissioners to Staff.

Philgreen asked if the property for the proposed event center is closer to Johnson County Fire and asked if they were contacted.

Cook stated they were contacted and noted in the Staff Report on page 37 of 37. The response from Chief Rittinghouse with Louisburg Fire Department was that Johnson County would respond to any firefighting operations and Code 1 medical calls in the contract area. Rittinghouse noted this area is going to be Fire Dist. 1 primary response area.

Philgreen asked if Johnson County Fire was notified.

Cook stated yes and their response was that the area in question is outside their coverage.

Philgreen asked what type of road Isinglass event center is on.

Cook stated was originally gravel but is now chip and sealed and operating as a winery. Wineries operate as an AG Exempt facility.

Philgreen invited the applicant to the podium at 7:42 p.m.

Nick Hall stated he is originally from the Louisburg area and has an attachment to the area. N. Hall stated he purchased the 55-acre property around two (2) years ago and about one (1) year ago he started thinking about developing the property for a venue and started conversations with Planning & Zoning. Nick Hall stated he hired an engineer to look at the road infrastructure, she is present to answer questions. The plan is to build a structure about a quarter mile back from the road, there is a heavy tree line on the East side of the property and on the West side of the property is 69-Highway. Nick Hall stated he is going for a luxury property that the community and adjacent property owners will respect and enjoy. He is only looking for people that are looking to have a nice time without turning it into a late-night party. Nick Hall stated the Conditions of the Conditional Use Permit (CUP) will dictate how the facility will be ran and he plans on abiding by the Conditions. Nick Hall plans on hiring employees assuring there will be someone present at each event for the entirety of the event. Nick Hall stated when he originally purchased the property he was planning on farming the property and building a home on it. If the CUP is approved, he would still like to build a home on the property when the time is right. Nick Hall referenced the community and stated he does not plan on degrading the surrounding properties or devaluing them in any way. Nick Hall believes it is

important to have a good relationship with his neighbors and has been working with Planning & Zoning on assuring he keeps the negative impacts at a minimum to the neighbors. Nick Hall stated he put a water well on the property already and was not aware of specific regulations for a water well being used as a public water supply and is now working with Miami County and KDHE to get a commercial water well. Nick Hall asked if the Planning Commissioners have any questions for himself or his engineer.

Gerken asked if the applicant is ok with the 10-year term proposed by Staff.

Nick Hall stated both The English Barn and The Haven have a term of 10-years and has spoken with both owners; he understands along as he operates within the CUP Conditions the CUP generally gets renewed. If he is allowed a longer term he will take the longer term.

Philgreen asked the applicant to state his address for the record.

Nick Hall, 7941 W. 132nd Ct, Overland Park.

Philgreen opened Public Hearing 25009-CUP: The Evermore Event Center at 7:50 p.m.

Philgreen invited the public to the podium one at a time asking all comments and questions be directed to the Planning Commission. Philgreen stated they will each be given 4-minutes to talk but would like them to aim for 3-minutes. Philgreen reminded the public to announce their name and address for the record when at the podium.

Maria Verhaeghe, 21494 Metcalf Ave, Bucyrus, stated many of her concerns were addressed by the applicant but she is still concerned with the road width and the dust impact to her property. Verhaeghe stated the intersection of W. 215th Street and Metcalf Avenue is only controlled with a 2-way stop sign and asked if it would be necessary to add a 4-way stop sign or stop light. Verhaeghe stated she did not receive a notice as her property is not considered to be within 1,000-foot of the proposed property.

Barry Hersh, 8439 W. 215th St., stated his biggest concern is the water availability but that was addressed by the applicant and Staff. Hersh is also concerned with the road width and added traffic. Hersh asked if farm equipment traffic was taken into consideration. Hersh stated his road is maintained by Johnson County not Miami County and asked how this would be affected.

Philgreen with no other members of the public wishing to speak closed Public Hearing 25009-CUP: The Evermore Event Center at 7:57 p.m.

Philgreen invited Staff and the applicant to the podium to address any of the public concerns.

Cook stated the applicant provided a certified list of neighbors within 1,000-foot of the proposed property that was compiled by a title company, this list did include neighbors located in Johnson County. Anyone on the certified list within 1,000-foot of the subject property was sent a notice.

Cook referenced the statement about dust control and stated he does not typically received comments when he reaches out to Johnson County. Cook visited with Eric Sandberg, Road and Bridge Director, when Sandberg reaches out to Johnson County, they have not provided any real feedback on projects located within Miami County. If dust control is needed Miami County will try to coordinate with Johnson County on the dust control. Cook stated if maintenance is needed for safety reasons it will be taken care of as soon as possible by the county that is responsible for that portion of the road.

Menefee asked if Johnson County provides their own dust control or do they contract that out.

Cook stated he is not sure.

Broers asked where the Overland Park City Limits is in this area.

Cook stated it is 1 ½ miles to the North on the West side of 69-Highway.

Philgreen asked what about Stilwell.

Cook stated Stilwell is unincorporated Johnson County.

Philgreen asked how the 1,000-foot is determined.

Cook stated it is based on the boundaries described for the location of the CUP and in this case, it is the boundary lines of the entire property.

Broers asked if the road at the culvert was measured.

Cook stated Staff did not do any measurements but believes the applicant's engineer and Sandberg did measurements.

Amy McCurdy with McCurdy Engineers, 420 W. 123rd Ter, KCMO, stated she does not have the exact measurements or locations but did a number of measurements through the section of roadway from the bridge to the intersection. The average measurement was 22-foot wide, maybe a little wider as they round down when they do an average.

Broers asked for the narrowest width.

McCurdy stated she does not have the measurements with her. McCurdy is confident the road width did not fluctuate from 22-foot or she would have noted it fluctuated from 18-22 foot.

Menefee stated it was pretty consistent.

McCurdy agreed.

Broers stated the County typically requires 20-foot road width and asked Staff to confirm.

Cook stated for fire access a minimum of 20-foot road width is required. Cook noted in Subdivision Regulations the minimum road width is 24-foot especially when doing a Subdivision development. For CUPs it is more based off of the characteristics of the facility and the traffic. Cook stated if the road width is less than 20-foot wide then the County requires improvements to at least 22-feet.

Broers stated she did not see screening called out in the Conditions but saw it was called out several times in the Staff Report and asked if screening needs to be in the Conditions.

Elliott stated he noticed that as well and thought maybe Condition No. 10 could be modified to include screening specifically around the parking lot area.

Broers asked what the length of term was approved for the Wildwood's CUP.

Philgreen stated it was a 20-year term.

Cook stated most CUPs recently have been 10-year terms with a couple of 20-year terms. The 20-year term CUPs Staff can recall are: Fontana Christian Church, KC Water Sports, and Youthfront Camp.

Broers asked will short-term or long-term rentals need to come back for review as they are not part of this CUP despite the letter of intent.

Cook stated he provided an amended Condition based on the applicant's amended narrative wishing to build a house and ADU in the future.

Gerken asked if all future CUPs will include Condition No. 17.

Condition No. 17: Structures on the property shall not be utilized for overnight stays by vendors, staff, wedding parties, or anyone associated with the weddings/receptions or events, other than the property owners' may construct their primary dwelling on the property. Accessory to the property owner's primary dwelling, an Accessory Dwelling Unit (ADU) may be constructed in compliance with Zoning Regulations (Section 5-2.01.12). Said ADU can be rented as a Short-Term Rental in compliance with Section 14-2.01.13, including no annual registration or licensing fee as long as the facility remains in compliance with the approved CUP.

Cook stated yes, based on the new Short-term and Bed & Breakfast Regulations that were adopted.

Gerken asked if the applicant is ok with no overnight stays.

Nick Hall stated if it is something he can advertise and be competitive on he would like to have overnight stays. Nick Hall stated he is not far enough into the process to know exactly what he wants to do but would like the option to do it if it is available.

Cook noted The Haven originally proposed a house on the property as well as two (2) cabins. Staff indicated if The Haven wanted to build the house that would be ok but the two (2) cabins would require them to go through the CUP process again.

Broers asked is this in scenic bi-way area.

Cook stated 69 Highway is considered a scenic bi-way but not sure where that begins and ends. The scenic bi-way mostly deals with signage and billboards and any signage that wish to have on site will need to go through the Sign Application process.

Elliott referred to Condition No. 3; and asked if a longer term is approved with a review done in X number of years does that sound any better to Staff. Does it change anything, because the CUP can be revoked at anytime if they are not compliant with the Conditions of the CUP.

3. *The Term of this conditional use permit shall be (10 years), at which time the CUP will be reevaluated.*

Cook stated in a perfect world Staff would like to visit each CUP site every 3-5 years for a review to confirm the CUP is being compliant to the Conditions. A 10-year term forces Staff to do a review of the CUP, Staff has to make it to the site.

Broers referred to Condition No. 2 and asked why "the vendors with whom they are contracted with are included. Broers stated she is inclined to ask it to be stricken.

Cook stated that wording matches The Haven and The English Barn.

Elliott stated his concern is that it opens a door for a sub-contractor to run the venue.

Gerken asked what would that hurt.

Elliott stated the intent of the CUP is that it is for a specific applicant. Elliott stated this applicant wants to be a good neighbor, will the sub-contractor.

Shane Hall believes a vendor and a sub-leaser will be two (2) different things.

Elliott stated he agrees but does not believe the Conditions are clear enough for him to try to argue.

Broers does not believe there should be a reason to call out a vendor/third party that does not have ownership in the facility.

Gerken stated he does not understand why vendor is in Condition No. 2 either.

Elliott agreed and stated he is inclined to strike it.

Elliott referred back to the screening and stated he is not sure where to put that but Condition No. 10 makes the most sense to him.

1. *The site plan shall be revised to show typical parking space dimensions including additional parking based upon 1-space per 35 square feet of the main assembly area; method for delineating gravel parking spaces and maintaining required fire access; the location and type of all solid waste trash receptacles including enclosure; building, pathway and parking lot lighting; location of fire hydrant(s) such as dry/drafting hydrant(s) on the property. All aisle ways shall remain clear with no parking signs installed to insure access by emergency vehicles.*

Cook suggested having a 10a and 10b to include screening.

Elliott referred back to dust control and stated he is concerned with who will be responsible for the dust control Johnson County or Miami County. Elliott understands it will be the owner's responsibility to pay for the dust control but since it is on the county line he would like clarity as to which county will be responsible.

Cook stated he will work with Sandberg and reach out to Johnson County.

Elliott referred to Condition No. 18 stating the applicant stated he would be willing to consider holding less than 60-events per year but Condition No. 18 does not for that the way it is written.

18. *No building permit may be issued for the event venue or said use commence on the property until such time as the property has an approved water supply. An approved water supply shall mean either a connection to a public water system or to a water system (such as a well) that has been licensed and approved by KDHE as a public well.*

Cook agreed with Elliott and stated if the Planning Commission would like to, they can modify the wording in Condition No. 18.

Menefee referred to Condition No. 18 and stated he is fine either way but if the Planning Commission allows it to be void if they have less than 60-events then in 10-20 years when they have a review and want to amend that to have more than 60-events, will this be something on Staff's radar.

Cook noted from a Staff's perspective they do not report the number of events held in a year to Staff and not something Staff will be able to track. If Condition No. 18 is removed Staff would replace it to read something like "...not to exceed 59-events...". This will be similar to the Condition on Firefly Farms.

Brown asked if it could read something like "...upon exceeding 59-events...".

Broers recommended being more vague and just point to KDHE Regulations in case KDHE modifies their regulations.

Philgreen called for deliberation amongst the Planning Commissioners at 8:20 p.m.

Gerken believes this CUP should have a term longer than 10-years due to the cost of things and the investment the applicant has committed to.

Menefee stated he does not believe the rate of return on the investment will be returned in a 10-year term. Menefee liked Elliott's idea of a 20-year term with a 10-year Staff review or something like that.

Philgreen asked Staff if the other venues similar to this proposal are a 10-year term.

Cook stated the original CUPs were a 5-year term and in the last couple of years the term length was extended to a 10-year term.

Broers asked how long before Overland Park jumps the County line. Broers stated she brought up 20-year terms because of the location and proximity to Overland Park but does not have a problem with a 10-year term.

Brown believes going from a 5-year term to a 10-term shows the maturity of the Planning Commission showing they are open-minded to longer terms. Brown stated he sees the longer terms as a positive change.

Menefee stated he agrees with Gerken that it should be a 20-year term.

Elliott stated there are some lifetime CUP terms in Miami County but agrees with a 20-year term.

Philgreen asked if there is a fairness they should be concerned with and gave an example of if this CUP is approved for a 20-year term and an older CUP comes forth saying that CUP was approved for a 20-year term, why was it not I?

Cook stated it is a case by case that decides the length of the term and used KC Watersports as an example.

Elliott asked what typically happens when a city annexes into a County and a CUP is involved.

Cook stated if there is current zoning on a property there is an entitlement there and they would continue to operate under the Conditions. Overland Park will have different regulations and there might be parts of their operation that might have to change due to Overland Park's regulations. Cook believes the CUP will still be valid until it expires then the applicant would need to renew it with Overland Park.

Philgreen asked if Overland Park annexes the CUP would the enforcement of the CUP, then become the responsibility of Overland Park.

Cook stated yes.

Broers stated if approved for a 20-year term there are two (2) reasons they would be using: 1) the proximity to the highway and 2) the 20-year term would insulate it from Overland Park annexing it.

Elliott suggested that be put in the Findings.

Cook stated some of the CUPs with a lifetime expiration the County has issues with.

Philgreen asked if Staff has an opinion about a 10-year verses a 20-year term.

Cook stated he kept it at a 10-year term because that has been the normal term for the last few years.

Elliott suggested changing the last sentence of Condition No. 18 to "...an approved water supply shall mean either a connection to a public water system or other KDHE approved solutions."

Philgreen gave the following corrections to Conditions:

- No. 2 – the first sentence striking "...and the vendors with whom they contract" and ending the sentence with a period following the parenthesis.
- No. 10 – add the normal screening language
- No. 4 – clarifying if Johnson County or Miami County will be responsible for the dust control (Staff may come up with the wording on this)

Menefee reminded to add to the Findings referenced by Broers regarding the proximity to the highway and the 20-year term would insulate it from Overland Park annexing.

Philgreen asked if the applicant had an opinion on moving the term to 20-years.

Nick Hall stated he had thought about the cost of things but had not thought about the possibility of the annexation into Overland Park. He would prefer the 20-year term due to these reasons.

Menefee moved to approve 25009-CUP based on the amendments and changes that the Planning Commission has deliberated. Broers seconded the motion; the motion passed unanimously (8-0) via show of hands.

Philgreen stated the Planning Commission is a recommending body and will be recommending for approval of this CUP to the Board of County Commissioners. The Board of County Commissioners will have the final vote and it will be heard on the January 28, 2026 Board of County Commission meeting at 1:00 p.m.

GENERAL DISCUSSION:

Philgreen called for a 2-minute break before starting the General Discussion.

Philgreen invited Staff to the podium.

Cook stated he passed out a couple of documents at the beginning of the meeting that pertain to the last chapter/section of the 2026 Comprehensive Plan. Cook asked the Planning Commissioners to review the documents before the next Planning Commission meeting (February 3, 2026) and be prepared for a discussion on these documents. Cook plans on having a Public Hearing in March for the adoption of the 2026 Comprehensive Plan.

Broers asked if they could send emails to Staff regarding their findings.

Cook stated that would be helpful.

Elliott asked if there is something specifically Staff is looking for.

Cook stated Staff has not had a chance to review the documents and wants the Planning Commission to review the documents to make sure the verbiage is what the Planning Commission is wanting.

Elliott asked how the Economic Development Advisory Board is being managed.

Broers asked if the board still exists.

Cook stated he is not sure how the board is being managed but believes it is still in existence.

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

Cook stated there is a CUP application, a rezoning application, and a subdivision application will be on the February agenda.

Cook provided the year-end report for 2025: Planning & Zoning had a total of 128 applications in 2025 of the 128 applications 26 were Boundary Line Adjustments (BLA), 9 were CUPs, 8 were Floodplains (FP), 19 were Lot Splits (LS), 8 were Subdivisions (SUB), 24 were Zoning Verifications (ZV), 3 were BZA, and the remainder were miscellaneous type applications. Code Services issued a total of 927 permits and 63 of them were residential.

Cook stated Staff hopes to wrap of the 2026 Comprehensive Plan within the next few months.

Planning & Zoning is getting new software and Staff hopes to have the new software up next month.

Possible Future Amendments to Zoning and Subdivision Regulations

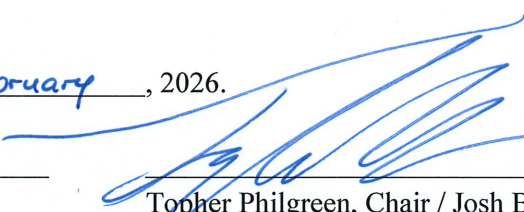
- A. Discussion on Solar Farms: Moratorium
- B. Sign Regulations: Moratorium
- C. Short-term Rentals
- D. Height limits for radio, television, internet antennas, and satellite dishes designed for individual residences.
- E. Telecommunications Regulations
- F. Wayfinding Signs

There was no discussion regarding these "Possible Future Amendments" to the regulations.

Menefee moved to adjourn the meeting; Hall seconded. The meeting adjourned at 8:52 p.m. with a unanimous vote of 8-0, via show of hands.

Approved this 3rd day of February, 2026.


Casey d'Augereau, Secretary


Topher Philgreen, Chair / Josh Brown, Vice-Chair

Minutes written by Casey d'Augereau

